

PAUL, WEISS, RIFKIND, WHARTON &amp; GARRISON LLP

1285 AVENUE OF THE AMERICAS  
NEW YORK NEW YORK 10019-6064  
TELEPHONE 212 373 3000

LLOYD K GARRISON (1946 1991)  
RANDOLPH E PAUL (1946 1956)  
SIMON H RIFKIND (1950 1995)  
LOUIS S WEISS (1927 1950)  
JOHN F WHARTON (1927 1977)

UNIT 5201 FORTUNE FINANCIAL CENTER  
5 DONGSANHUAN ZHONGLU  
CHAOYANG DISTRICT BEIJING 100020 CHINA  
TELEPHONE (86 10) 5828 6300

HONG KONG CLUB BUILDING 12TH FLOOR  
3A CHATER ROAD CENTRAL  
HONG KONG  
TELEPHONE (852) 2846 0300

ALDER CASTLE  
10 NOBLE STREET  
LONDON EC2V 7JU UNITED KINGDOM  
TELEPHONE 44 201 7367 1600

WRITER'S DIRECT DIAL NUMBER

(212) 373-3163

WRITER'S DIRECT FACSIMILE

(212) 492-0163

WRITER'S DIRECT E-MAIL ADDRESS

jaycohen@paulweiss.com

FUKOKU SEIMEI BUILDING  
2-2 UCHISAIWAICHO 2 CHOME  
CHIYODA-KU TOKYO 100-0011 JAPAN  
TELEPHONE (81 3) 3597 8101

TORONTO-DOMINION CENTRE  
77 KING STREET WEST SUITE 3100  
PO BOX 226  
TORONTO ONTARIO M5K 1J3  
TELEPHONE 416 504-0520

2001 K STREET NW  
WASHINGTON DC 20006-1047  
TELEPHONE (202) 223-7300

500 DELAWARE AVENUE SUITE 200  
POST OFFICE BOX 32  
WILMINGTON DE 19899-0032  
TELEPHONE (302) 655 4410

MATTHEW W ABBOTT  
EDWARD T ACKERMAN  
JACOB A ADLERSTEIN  
ALLAN J ARFA  
ROBERT A ATKINS  
DAVID J BALL  
SCOTT A BARSHAY  
PAUL M BASTA  
JOHN F BAUGHMAN  
J STEVEN BAUGHMAN  
LYNN B BAYARD  
CRAIG A BENSON  
MITCHELL L BERG  
MARK S BERGMAN  
DAVID M BERNICK  
JOSEPH J BIAL  
BRUCE BIRENBOIM  
H CHRISTOPHER BOEHNING  
ANGELO BONVINO  
DAVID W BROWN  
SUSANNA M BUERGER  
PATRICK S CAMPBELL\*  
JESSICA S CAREY  
SARAH K CHEN  
GEOFFREY R CHEPIGA  
ELLEN N CHING  
WILLIAM A CLAREMAN  
LEWIS R CLAYTON  
YAHONNES CLEARY  
JAY COHEN  
KELLEY A CORNISH  
CHRISTOPHER J CUMMINGS  
THOMAS V DE LA BASTIDE III  
ARIEL J DECKELBAUM  
ALICE BELISLE EATON  
ANDREW J EHRLICH  
GREGORY A EZRING  
LESLIE GORDON FAGEN  
ROSS A FIELDSTON  
BRAD J FINKELSTEIN  
BRIAN P FINNEGAN  
ROBERTO FINZI  
PETER E FISCH  
ROBERT C FLEDER  
MARTIN FLUMENBAUM  
ANDREW J FOLEY  
ANDREW J FORMAN\*  
HARRIS B FREIDUS  
MANUEL S FREY  
ANDREW L GAINES  
KENNETH A GALLO  
MICHAEL E GERTZMAN  
ADAM M GIVERTZ  
SALVATORE GOGLIORMELLA  
NEIL GOLDMAN  
ROBERTO J GONZALEZ\*  
CATHERINE L GOODALL  
ERIC GOODISON  
CHARLES H GOOGE JR  
ANDREW G GORDON  
BRIAN S GRIEVE  
UDI GROFMAN  
NICHOLAS GROOMBRIDGE  
BRUCE A GUTENPLAN  
ALAN S HALPERIN  
JUSTIN G HAMILL  
CLAUDIA HAMMERMAN  
BRIAN S HERMANN  
MICHELE HIRSHMAN  
DAVID S HUNTINGTON  
AMRAN HUSSEIN  
LORETTA A IPPOLITO  
JAREN JANGHORBANI  
BRIAN M JANSON  
JEH C JOHNSON  
MEREDITH J KANE

JOHNATHAN S KANTER  
BRAD S KARP  
PATRICK N KARSNITZ  
JOHN C KENNEDY  
BRIAN KIM  
KYLE J KIMPLER  
DAVID M KLEIN  
ALAN W KORBERG  
DANIEL J KRAMER  
DAVID K LAKHDHIR  
STEPHEN P LAMB\*  
JOHN E LANGE  
GREGORY F LAUFER  
BRIAN C LAVIN  
XIAOYU GREG LIU  
JEFFREY D MARELL  
MARCO V MASOTTI  
EDWIN S MAYNARD  
DAVID W MAYO  
ELIZABETH R MCCOLM  
ALVARO MEMBRILLERA  
MARK F MENDELSON  
CLAUDINE MEREDITH GOUJON  
WILLIAM B MICHAEL  
JUDIE NG SHORTELL\*  
CATHERINE NYARADY  
JANE B O'BRIEN  
ALEX YOUNG K OH  
BRAD R OKUN  
KELLEY D PARKER  
LINDSAY B PARKS  
VALERIE E RADWANER  
CARL L REISNER  
LORIN L REISNER  
WALTER G RICCIARDI  
WALTER RIEMAN  
RICHARD A ROSEN  
ANDREW N ROSENBERG  
JACQUELINE P RUBIN  
CHARLES F RICK RULE\*  
RAPHAEL M RUSSO  
ELIZABETH M SACKSTEDER  
JEFFREY D SAFERSTEIN  
JEFFREY B SAMUELS  
DALE M SARRO  
TERRY E SCHIMEK  
KENNETH M SCHNEIDER  
ROBERT B SCHUMER  
JOHN M SCOTT  
DAVID R SICULAR  
MOSES SILVERMAN  
AUDRA J SOLOWAY  
SCOTT M SONTAG  
TARUN M STEWART  
ERIC ALAN STONE  
AIDAN SYNNOTT  
RICHARD C TARLOWE  
MONICA K THURMOND  
DANIEL J TOAL  
LIZA M VELAZQUEZ  
RAMY J WAHBEH  
LAWRENCE G WEE  
THEODORE V WELLS JR  
STEVEN J WILLIAMS  
LAWRENCE I WITDORCHIC  
MARK B WLAZLO  
JULIA MASON WOOD  
JENNIFER H WU  
BETTY YAP\*  
JORDAN E YARETT  
KAYE N YOSHINO  
TONG YU  
TRACEY A ZACCONE  
TAURIE M ZEITZER  
T ROBERT ZECHOWSKI JR

NOT ADMITTED TO THE NEW YORK BAR

October 24, 2018

**Via ECF**

Honorable John G. Koeltl  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 12B  
New York, New York 10007

Re: *Parneros v. Barnes & Noble, Inc.*, 1:18-cv-07834 (JGK)

Dear Judge Koeltl:

We represent the defendant Barnes & Noble, Inc. ("Barnes & Noble") in the above-referenced matter and write on behalf of both parties to submit this report to the Court pursuant to Federal Rule of Civil Procedure 26(f) in anticipation of the parties' initial conference scheduled for November 6, 2018.

We enclose for your Honor's consideration a proposed Initial Discovery Protocol, which is modeled after the Initial Discovery Protocols for Employment Cases Alleging Adverse Action (the "Initial Discovery Protocol"). Under the proposed Initial Discovery Protocol, the parties will exchange initial discovery on November 29, 2018, except that as to documents responsive to Sections IV. B.1 and B.10 and V. B.1 and B.14 of the Initial Discovery Protocol, the parties will begin production no later than November 29, 2018, and will complete such production no later than January 14, 2019.

Honorable John G. Koeltl

2

The parties also propose that the end of discovery be scheduled for June 14, 2019 because the parties anticipate that there will be significant non-party discovery, including discovery from entities and individuals referenced in the Complaint. Some of this non-party discovery may require letters rogatory.

In addition to the discovery deadline, the parties propose, in accordance with the enclosed proposed civil case discovery plan and scheduling order:

- No additional parties may be joined or cause of action asserted after December 6, 2018.
- No additional defenses may be asserted after December 13, 2018.
- Dispositive motions, if any, are to be completed by August 23, 2019.
- A joint pretrial order, together with any motions *in limine* or motions to bifurcate, shall be submitted by September 23, 2019.
- The parties shall be ready for a non-jury trial on or after October 23, 2019. The estimated trial time is five to seven days.

For your Honor's convenience, we enclose a proposed scheduling order including the parties' proposed dates.

In addition to the parties' proposed scheduling order and proposed Initial Discovery Protocol, we enclose a stipulation and proposed protective order to govern the pre-trial phase of this action.

Respectfully submitted,

Jay Cohen



Enclosures

cc: Anne L. Clark and Debra L. Raskin (via ECF)